6.8.04

SINGLE BENCH

(3) (5)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (S) NO. 4711 OF 2006

PETITIONER

Anup Kumar Soni, S/o Shri B. L. Soni, aged about 42 years, **Occupation** - Service, presently posted as Sub Engineer, Divisional Office, Urban Administration and Development Department (Engineering Cell), Bilaspur Distt.Bilaspur (Chhattisgarh)

P.R. No. 4759/06
Presented by Shri Akhilesh Dalpati
dated 22/8/06

VERSUS

RESPONDENTS

1. State of Chhattisgarh Through the Secretary, Urban Administration & Development Department, Mantralaya ,D K S Bhawan, Raipur (Chhattisgarh)

2. Joint Director, Divisional Office,Urban Administration & Development Department Bilaspur, District Bilaspur (Chhattisgarh)

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Rina
28/08/06
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE OF CERTIORARI, MANDAMUS, PROHIBITION OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS:

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(32)

मामला क्रमांक ..W.P..4711.. **सन् 2006**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

1-9-2006

Mr. Manindra Shrivastava, Senior Advocate with Mr. Afroz Khan, Advocate for the petitioner.

Mr. Vinay Pandey, Panel Lawyer for the State/respondents, on advance copy.

Heard.

By this writ petition under Article 226 of the Constitution of India, the petitioner has challenged his transfer order dated 21-8-2006 (Annexure P-1), whereby he has been transferred from Divisional Office, Urban Administration & Development, Bilaspur (Engineering Cell) to Nagar Panchayat: Lormi.

The case of the petitioner is that earlier he was transferred from Akaltara to Manendragarh vide order dated 6-8-2004 from where he was again transferred to Bilaspur vide order dated 25th June, 2005 on his own request on the ground of illness of his daughter. Main grievance of the petitioner is that his daughter namely, Miss Shradha Soni has developed a hole in her heart and she has to undergo surgery for which she is taking treatment at Apollo Hospital, Bilaspur. His daughter is required to be kept under observation and there are no proper medical facilities at Lormi.

In the circumstances, learned counsel for the petitioner submits that the petitioner may be allowed to make a detailed representation to respondent No.1 and in turn, respondent No.1 be directed to decide the same to which learned counsel appearing for the State/respondents has no objection.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and without expressing any opinion on the merits of the case, the prayer made by learned counsel for the petitioner is just, fair

P.T.O.

XI-HC-78

(33)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.4711/ **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश – 2 –	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Soma	and reasonable. Therefore, the petitioner is allowed to make a detailed representation raising all his grievances, annexing a copy of this writ petition and its annexures to respondent No.1 within 10 days from today and in turn, respondent No.1 is directed to decide the representation of the petitioner within a period of 30 days from the date of its receipt, after considering the objections raised by the petitioner in an objective manner, on its own merits, in accordance with law. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.3641/2006 & I.A.No.8665/2006 also stand disposed of. Parties are entitled for certified copy of this order. Sd/- L.C.Bhadoo Judge	

P.T.O.